Synopsis

Impact of Social and Cultural Changes on Right to Privacy in India - With Special Reference to Autonomy in Decision Making

Introduction

Privacy has become one of the major concern and requirement especially today where we are living in a digitalised world and majority of people are occupied mostly by their work schedules or other aspects. Before explaining the 'Breach of privacy' it is better to have a gist of privacy. Privacy means to be let alone or a situation where a person does not want to be observed by the society. It means temporary withdrawal of the person from the society by physical or psychological means. A person cannot disclose his whole information to the public at large as he only gives that information which he wants to disclose. But if any third person intrudes into his personal space and discloses any information about such person which is confidential unless such an information is not against the law and order of the country or does not harm the public then such disclosure amounts to violation of his privacy.

According to Black Law's dictionary, privacy means right to be let alone, right of the person to be free from any kind of unwanted interference by public officials in matters in which the public officials are not concerned.[1]

According to Eric Hughes, privacy is the power to selectively reveal about oneself to the world, ability of the person to control the availability of information and exposure of him.[2]Privacy is an essential requirement and a matter of right of a person whether in his personal life or at work so as to lead a happy and a contended life. If he is denied such a right then it would lead him to a vulnerable situation.

Therefore privacy covers a number of areas like freedom of speech and expression, freedom of thoughts, freedom of movement, protection of one's own reputation , property from arbitrary surveillance, search and seizures, trespass , protection of our personal data, sexual preferences, right to marriage and leave, right to procreate, right to terminate pregnancy , intimate relationships etc.

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[1] Black's Law Dictionary, (1968) at p. 1358

[2] Harsh Pathak, Is telemarketing an invasion of privacy? The Times of India, New Delhi, 13/02/2005.

Therefore right to privacy is a fundamental right under Article 21 of the Constitution of India, 1950 which deals with right to life and personal liberty. Though the article does not expressly mentions about privacy yet the term is covered under the clause 'Personal liberty' which is an essential requirement of the said article.

In India, right to privacy is evolving due to four types of privacy claims:

1. **Privacy against media** where individuals need to be protected from false publications of their private life or intrusion into their privacy through newspapers or photographs etc.

2. **Privacy against state surveillance** where government is keeping an eye on every individual and they can unreasonably intrude into the private life of an individual through spy cameras, surveillance, tapping of telephone etc.

3. **Protection of personal information** which is an important claim prevailing today through the advancement of technology as the government has biometric information (Aadhar) of every individual which involves their name residence and even their sensitive information like account numbers, passwords etc. which is likely to be misused as there is no regulatory framework to keep a check on the government i.e. there is no data privacy law in India to keep a check on the government.

4**. Autonomy in decision making is** the most important aspect of privacy which was recognised in the case of **"K.Puttaswamy v/s Union of India"[3]** where the court gave recognition to decision making process of every individual with respect to himself or herself, his marriage, home, choice of eating, faith, travelling, freedom of speech, sexual orientation, procreation, choice of what of wear, choice of work and other intimacies too.

This research focuses on autonomy in decision making as an integral aspect of right to privacy. Privacy involves protection of personal intimacies, sanctity of family life, marriage, procreation, sexual orientation, bodily integrity etc. The case of "K Puttaswamy v/s Union of India "has been a landmark judgement in recognising autonomy in decision making as a notion of right to privacy .

Autonomy in decision making refers to freedom of an individual to make choices relating to himself or herself, family, home, marriage, procreation, intimacies etc. It means right of the person to choose whom to marry, how to dress, to eat, reproduction, right to terminate pregnancy, faith, to

[3] [3] AIR2012SC494

decide to work and choosing the nature of work, to what extent to disclose his personal information etc.

Justice Chelameshwar gave three prolonged definition to privacy in which he stated that privacy consists of:

.repose which refers to mind of a person free from worry or any stress

.sanctuary is a place where an individual is at peace i.e. his home

.intimate decision where a person has the freedom to make choice with respect to his or her personal life without any intrusion.

He laid emphasis on the third aspect and stated that it is the choice of the person to decide kind of literature, music, faith, how to dress, whether to work or not, nature of work, right of an individual to refuse prolonged medical treatment, termination of one's own life, women's freedom of choice with respect to marriage, bearing a child or terminate the pregnancy.

Indian law has not matured as compared to laws in U.S.A and European laws in protecting individual's sovereignty against the intrusion of the state.

Justice Nariman also emphasised on decisional privacy and stated that our nation is democratic in nature and its nature will be undermined if individuals do not have freedom to make choices that affect their daily lives and their choice of how to be governed and dignity and autonomy. Dignity refers to right of an individual to develop himself to full potential.

Therefore autonomy in decision making covers a number of aspects like

1. Right to marry and leave which gives a right to any person who is major to choose a partner of his or her own choice and also freedom to leave the marriage based on no-fault divorce. Marriage in India is considered to be sacred. Indian divorce aim in preserving marriage rather than separation. In India either party can leave the spouse by mentioning the faults like cruelty, desertion which is violative of dignity of an individual. A person cannot leave the marriage without proving any fault mentioned under the Hindu Divorce Act.Similiarly people who are contracting inter-caste marriage have an autonomy in decision making without any intrusion by their families or by the court which requires that notice have to be sent before contracting the marriage for any objection which is violative of their decisional privacy. Such interference is violative of decisional making of an individual as right to marry, right to love

and right to leave are totally intimate choices of an individual which should be shielded against state intrusion.

2. Rights of live-in couples: Though the Supreme Court has recognised in live-in relationships where two people without any living spouse of either of them living take a decision to stay together without marriage. Some regard it as good while some as bad. Therefore it is the autonomy of two people to stay together without any intrusion by state or by the society. In the case of **"S.Khushboo v/s Kaniammal",**[4] the Supreme Court has held that live-in relationship comes within the ambit of right to life under Article 21 of the Constitution. The court recognised live-in relationship and further held that the act of two persons staying together is neither illegal nor unlawful.
3. Right to procreate which means right of women to have child through surrogacy, naturally or through adoption whether married or unmarried woman. It also involves protection of surrogate mothers from being exploited by the surrogacy agencies due to lack of awareness of laws and policies and also they are not insured after delivery if any health issue arises which is violative of their bodily integrity as they are considered to be women whose duty is to only bear the child and are not entitled to be paid which is gross violation of their bodily integrity which is an integral part of right to decisional making as commercial surrogacy is banned in India.Similiarly a woman whether married or unmarried has the right to procreate a child whether naturally or through adoption which his her decisional privacy.
4. Right to terminate pregnancy: Decision making involves right of a woman to terminate her pregnancy and it should be her decision which should not be intruded by the state by involvement of Medical Termination of Pregnancy Act which is discriminatory and provides that termination is allowed only if bearing the child poses a threat to the life of the mother or the baby. Therefore due to such restrictions, a woman loses her right over her bodily integrity.
5. Right to eat which requires individual should have a right to choose the kind of food they would like to eat in their homes unless the food is injurious to their health or a person is doing something which is contrary to law.
6. Right to faith where an individual shall be free to profess to follow any religion whether being a convert. Forced conversion of a person into another religion is violative of his or her decisional making which is violative of his/her right to privacy. Recently Uttar Pradesh has

[4] AIR2010(5) SCC600

enacted Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020 which prohibited forceful conversion to 'Love Jihad' where a Hindu woman is being forcefully converted to Islam for contracting Muslim Marriage. But the ordinance passed by the Uttar Pradesh government is violative of right to privacy in decision making as the either party who wants to convert without any coercion or force is being interrupted in his or her decision making. In the case of " Salamat Ansari & Others v/s State of Uttar Pradesh & Others", the Allahabad High court has quashed the F.I.R LODGED OVER THE MARRIAGE BETWEEN Hindu woman and Muslim man while stating that right of an individual to live with the partner of his or her own choice irrespective of any religion is a fundamental right.

7. Right against self-incrimination which is mentioned under Article 20(3) of the Constitution of India, 1950 which provides that no person can be compelled to be witness against himself which is also his right to privacy which cannot be invaded by state through narco-analysis test etc.
8. Right to travel anywhere where there is no unreasonable intrusion upon an individual's freedom to travel anywhere where he wishes.
9. Sexual orientation where a person should have independence or freedom in choosing his or her partner without being subjected to any discrimination by the state whether same or opposite gender. Though Section 377 has been decriminalised but its decriminalisation is not applicable in the armed forces by the Government of India. The Armed Forces in India ban homosexuality. **Section 45 of the Army Act, 1950** considers homosexuality as an unbecoming conduct of the officers which is punishable with an imprisonment for seven years which deprives the soldiers of their autonomy in deciding their sexual preferences which is violative of their right to privacy.
10. Decision making also involves protecting of the rights of patients suffering from Acquired Immeuno Deficiency Syndrome (AIDS) from unnecessary intrusion and exposure as well as protecting of the identity of rape victim in criminal proceedings.

The major issue into the privacy of a person prevailing today is surveillance by the government authorities i.e. the police. It can be physical, psychological or data surveillance which is with the government. Nowadays radio transmitters are inserted into briefcases, pens, eye-glasses, buttons of the coat or shirt etc. so as to hear the conversation of the concerned person where the intruder is not allowed. . Psychological surveillance involves medical testing i.e. Narco-analysis tests where a person is drugged so as to collect information from such person who is in a subconscious situation.

As a result such a person discloses even that information which he would not have discussed if he would have been in his senses which is violative of his right to privacy.

An attempt to enforce decision autonomy flowing from right to privacy was made by Delhi High Court in the case of **"Naz foundation v/s Government of NCT Delhi"** [5]which decriminalised Section 377 of Indian Penal Code, 1860 and legalised consensual sex between homogeneous couples.

The judgement of 9 judges Bench of the Supreme Court in "K.Puttaswamy v/s Union of India "[6] was a landmark decision in recognition of right to privacy as a fundamental right. This decision overturned the decisions in "Kharak Singh v/s State of Uttar Pradesh " and "M.P Sharma v/s Satish Chandra & Others" which did not recognise right to privacy as a fundamental right. The judgement in this case was universally accepted even by Union of India which earlier did not recognise right to privacy.

The case also recognised autonomy in decision making as an important aspect of privacy which gave recognition to sexual and reproductive independency as the historical reproductive health laws which was discriminatory i.e. Medical Termination of Pregnancy Act,1971 as well as recognising use of contraceptives to procreate as well as abstain from procreating which was not recognised by the statutory law i.e. the Medical Termination of Pregnancy Act,1971 which recognised abortion as a population control measure and did not recognise right to abortion. The judgement given on concepts of privacy in this case was based on the reasoning that privacy is an inalienable right which is born within the human beings and it cannot be conferred nor it can be transferred and privacy is an aspect of bodily integrity which means that every individual has a right to live a life with dignity and has the right to make choices with respect to himself without any interruption. Dignity is an important ingredient of right to life under Article 21 of the Constitution.

International treaties like Universal Declaration of Human Rights, 1948 as well as International Covenant on Civil and Political Rights, 1966 recognise right to privacy as a human right. India is a party to these international treaties, therefore the judgement was delivered by the Supreme court in Puttaswamy case in consistency with the constitutional provisions and also that such provisions are in conformity with the international treaties.

There have been numerous instances of suicides, nervous breakdown due to the governmental interference or media by creating false stories of an innocent individual so as to create a mere publicity.

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[5] MANU/DE/0869/2009

[6]Supra note3

Like actors who wear a mask on-screen or on a dramatic stage but in their personal they are different similarly we individuals like actors also have to wear a mask and have to behave in a formal manner but at the end of the day we also need to take out our masks and be ourselves for a while involving our mood swings, family life, intimacy etc.

Therefore individuals need to be protected from arbitrary interference by the government WITH RESPECT to their decisional making so that they can live their life in a rightful manner because at the end we owe explanations to ourselves and not to the world.

Historical Background

In India, the concept of privacy was found in ancient Indian Literature. The ancient Indian Literature provided privacy of home, woman, family; communication and matters of privacy were covered by the society as well as the state in Dharmashastras. It consisted of the principle of non-interference by others or by the king unless it is for public purpose or for the purpose of prevention of crime. However the principle mentioned in this text could not be brought into much light. Therefore it is difficult to apply such principle in modern world.

Even the concept of privacy can be traced from Hitopadesh where it was held that matters like worship, sex and family matters shall be protected from disclosure.[7]

The question of right to privacy firstly arose before the Supreme Court in the case of **"M.P Sharma v/s Satish Chandra & Others "**[8] where a company was alleged to have committed malpractices by concealing its affairs from the shareholders by submitting them false documents. The District Magistrate ordered for search and seizure of the company. Aggrieved by the decision of the Magistrate, the petitioners appealed to the Supreme Court that such order of the magistrate was violative of their fundamental right under Article 21 and Article 19(1) (f) of the Constitution which deals with right to acquire, hold and dispose of the property. The court in this case held that search and seizure was a temporary interference and if such interference causes any damage then it shall be redressible. However the court in this case did not recognise right to privacy as a fundamental right.

- In another case of **"Kharak Singh v/s State of Uttar Pradesh"** [9], the petitioner Kharak Singh filed a writ petition before the Supreme court challenging the constitutional validity of 'Surveillance' as violative of his right to privacy under Article 21 and right to movement under Article19(1)(d) of the Constitution. The Court in this case held that right to privacy is not a fundamental right and the manner in which privacy has been intruded surveillance by police) is not violative of his fundamental right. But the court in this case struck down the provisions in Uttar Pradesh Police Regulations which provided the domiciliary visits by the police as it was unconstitutional.

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[7] Hitopadesh I: 123 Worship. sex and family matters, etc. were to be protected from disclosure

[8] AIR1954SC300

[9] AIR1963SC1295

The next case was **"Govind v/s State of Madhya Pradesh "**[10] where the issue in this case was similar to Kharak Singh's case where the constitutional validity of Madhya Pradesh Police Regulations Act, 1961 was challenged on the grounds of being violative of petitioner's right to life and privacy under Article 21 of the Constitution. But in this case the judgement was different from Kharak Singh's case. The court in this case recognised right to privacy as fundamental right. Justice Mathew held that rights and freedoms are guaranteed to every citizen under the constitution and there shall be no unlawful interference except on reasonable grounds. This case gave recognition to right to privacy.

In next case of " **Maneka Gandhi v/s Union of India "**[11] , the scope of right to life under Article 21 of the Constitution got widened and it covered right to privacy. In this case the Supreme court held that right to travel abroad is fundamental right of every citizen under Article 21 and Article 19 (1)(d) of the Constitution . The interference in such right must be according to the procedure established by the law. The procedure must be just, fair and reasonable. However impounding of passport under the Passport Act, 1967 of the petitioner for national integrity is not violative of his fundamental right under Article 14, 19 & 21 of the Constitution.

In the case of **"People Union for Civil Liberties v/s Union of India "**[12] tapping of telephonic conversations was considered as violation of right to privacy. The court held in this case that telephonic conversations are intimate and confidential and are privacy of an individual. The court also held in this case that whether privacy of an individual under Article 21 of the Constitution is violated or not depends upon the facts and circumstances of each case.

With respect to autonomy in decision making as an aspect of right to privacy in India, historical reproductive health laws undermined women's reproductive autonomy through discriminatory provisions like Medical Termination of Pregnancy Act, 1971 which requires consent of spouse for accessing to reproductive health services. The Act recognises abortion as a population control measure and not right. This act prohibits abortion unless approved by registered medical practitioner on the grounds mentioned under Section 3 and 5 of the act.

Section 3 of the act provides for termination of pregnancy by a registered medical practitioner only if continuation of such pregnancy poses a threat to the life of the mother or the foetus. Where pregnancy is less than 12 weeks then the consent of 1 medical practitioner is required. If the woman is pregnant between 12-20 weeks then the consent of two medical practitioners is required.

[10] AIR1975(2) SCC14
[11] AIR1978SCC597
[12] AIR1997SC568

Section 5 of the act provides that if pregnancy is beyond 20 weeks then it can be terminated only with the necessity to save woman's life.

Due to these provisions a woman loses her autonomy over her bodily integrity.

In Naz Foundation's case, the Delhi High Court gave explicit recognition to right to sexual autonomy as a part of right to privacy embedded under Right to life. It gave recognition to the right to make intimate and personal choices including decisions relating to sexual preferences.

However the decision was turned down by the Supreme Court in the case of **"Suresh Kaushal v/s Naz Foundation"**[13] as it criminalised Section 377 of Indian Penal Code, 1860. There was a disagreement in the manner in which this case has been dealt with respect to dignity and privacy of homosexuals and the LGBT community. Though this case also recognises fundamental right to privacy with respect to bodily integrity and sexual preferences but it did not favour decriminalisation of Section 377 of Indian Penal Code.

Therefore the judgement in "K.Puttaswamy v/s Union of India" arose as a landmark decision in the field of human rights by recognising right to privacy as it struck down the judgements laid down in Kharak Singh's case and M.P Sharma's case which did not recognise right to privacy as a fundamental right. The court termed these judgements as a bad law. The court also struck down the decision given in **"A.D.M Jabalpur v/s Shivkant Shukla** "[14]which provided no remedy to an Indian citizen who was shot dead by the state for no reason as well as the judgement delivered in "Suresh Kaushal v/s Naz Foundation" as the judgements delivered in this case were unconstitutional and violative of right to privacy.

[13] AIR2013SC10972
[14] AIR1976(2)SCC521

Objectives /Reason for Selection of the Topic

1) Privacy has become one of the major issues and also it is the most essential requirement today for every individual in their day to day lives. Most of the people do not realise privacy as a fundamental right. The purpose of conducting the research is to know about the concerns of individuals as to how much are they concerned about protecting their privacy i.e. intimate decisions without interference from the government or third parties.

2) Autonomy in decision making is the weakest part of the privacy right which is not been still recognised in the nation. There have been unreasonable interventions in personal choices of the individuals with respect to their choice of marriage, reproductive and sexual prefences, eating, dressing, faith, travelling, freedom of speech and expression etc.
3) The privacy laws in India are very weak as compared to the other countries like U.S.A and European nations where autonomy in decision making as an aspect of privacy has been recognised and protected.

4) The purpose of conducting the research is to address that there are lacunas in various laws which have deprived individuals of their autonomy in decision making and the aim of the research is that the recognition of decisional aspect of privacy overturns the judgements in various cases according to the discriminately laws and also to struck down to such laws in coming time.
5) As the society is changing, there is a vital requirement for the awareness and recognition of this aspect of privacy to prevent further violations of right to privacy which itself is a violation of human right.
6) Though After the case of **"K.Puttaswamy v/s Union Of India"**, right to privacy was recognised as a fundamental right under article 21 of the Constitution but still the recognition of this fundamental right is not known to the majority of people especially the intruders due to which they find an opportunity to peep or enter unlawfully into the private life of an individual especially the Police who misuse the powers conferred upon them and intrude into the private life of individuals

Review of literature

Before conducting this research, the researcher has referred to statutes i.e. the Constitution of India, law of Torts, Indian Penal Code, Code of Criminal Procedure Code,1973, Medical Termination of Pregnancy Act,1971, The Surrogacy Bill, 2020 various caselaws,journals , articles , newspapers, magazines both at national and international level , books namely **The Right to Privacy in India by Ravinder Kumar, Right to Privacy under Indian law by kiran Deshta ,Introduction to the Constitution of India,1950 by D.D Basu,** International Conventions i.e. :

- [15]. Article 12 of the Declaration provides that no one shall be subjected to arbitrary interference with his privacy, family or home. Everyone has right to protection by law against such interference.
- **Article 17 of Covenant on Civil and Political Rights ,1966** also contains provisions on right to privacy which states that :
  - No one shall be subjected to arbitrary or unlawful interference with his privacy, family or work and there shall be no attacks upon his honour and reputation.
  - Everyone has right to protection of law against such attacks or interferences.

- **Article 8 of European Convention on Human Rights** also guarantees respect for family as well as private life which involves protection of data privacy of individuals as well.
- United States was the first country which focused on right to privacy as a public concern. American development on Right to privacy began in Warren and Brandeis 1890 Harvard article in which they focussed on development of right to privacy as 'right to be let alone'. Right to privacy originated penumbras of other rights in Bill of Rights which created a zone of privacy .Decisional autonomy has been recognised as a major aspect of privacy in a number of cases like **"Griswold v/s Connecticut** "[16]which struck down the law which criminalised the use of birth control contraceptive which is violative of right to privacy of married autonomy.
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- In another case of **"Roe v/s Wade"**, [17]it was held by the U.S Supreme court upheld right to abortion within right to personal liberty and not within penumbras of other rights.
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[15] http://legalservicesindia.com/article/1630/Right-To-Privacy-Under-Article-21-and-the-Related-Conflicts.html
[16] 539 US558(2003)
17 410 US 113(1973)

- In the case of **"Thomas S Eisenstald v/s William R. Baird"[18],** The U.S Supreme court struck down the statute which prohibited distribution of contraceptives to the unmarried couples.
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- Right to privacy with decisional autonomy has also been recognised in European Union which is right to be forgotten which means rights of the individuals to require search engines to erase links which contain inaccurate or excessive personal information about them which protections invasion into their privacy. There have been committees on recognition of same sex couples.
- The right to privacy has been recognised under **Article 21 of the Constitution of India, 1950** which provides that no person shall be deprived of his life and personal liberty except according to the procedure established by the law. Though decisional autonomy has been recognised in Puttaswamy case but still there are instances on breach of privacy of an individual due to intrusions by the state and also by the discriminatory traditional laws. As a woman is free to contract a marriage of her own choice, she does not have the autonomy to leave the marriage on her own will. Right to use contraceptives is being condemned by the MEDICAL Termination of Pregnancy Act, 1971. Restrictions are imposed on surrogacy as it is available to only infertile couples and not to the couples who already have a child born or adopted and wish to also have a child through surrogacy.
- In the case **of "Govind v/s State of Madhya Pradesh"** in which the constitutional validity of surveillance was challenged by the petitioner, the court in this case gave recognition to right to privacy but only within limited extent under Article 21 of the Constitution. The court held that every person has privacy with respect to his intimate life like family, himself, work, sexual and reproductive preferences, faith etc. and there shall be no intrusion by the state.
- In another case **of Naz Foundation v/s Government of NCT, Delhi",** The Delhi High court gave explicit recognition to sexual preference as an aspect of right to privacy. The court held in this case that every person has the right to choose his or her sexual as well as reproductive preferences.
- **"K.Puttaswamy v/s Union of India** "was a landmark decision in recognition and protection of right to privacy and struck down the decisions in previous cases. The 9 judge bench of Supreme Court in this case also recognised decisional aspect of right to privacy which provided freedom to an individual to make sexual and reproductive choices as well as choices relating to eating, dressing, faith, travel etc. Though the concept of decisional making has been recognised in this case but it is upon the judges as to how they will

18 405 US 438 (1972)

interpret the judgement in deciding issues relating to homosexuals and transgender, reproductive rights of women, beef bans restrictions on marriages, prohibition on search and seizures. The court will be confronted with such issues in justifying the concepts of the judgement delivered in this case.

The literature review shall help the researcher to have an in-depth knowledge or better understanding into the research problem on the basis of which the researcher can frame hypothesis and also address the gaps or lacunas in the previous researches on the same problem by previous research scholars which will help the researcher to conduct his research in a systematic and in an effective manner and also to come with a solution to the research problem.

Research Questions

1. What is the genesis of right to privacy and what are its dimensions?
2. What was the status of Right to Privacy in India before Puttaswamy case?
3. What is the status of right to privacy after the Puttaswamy case?
4. Is Right to privacy an absolute right or is it subjected to some restrictions? What are the restrictions if any?
5. Does a woman who is of easy virtue (prostitute) has the right to privacy?

Hypothesis

After reviewing literature with respect to the research problem, the researcher has framed following hypothesis:

- Despite of recognition of autonomy in decision making in Puttaswamy case has it been implicated positively in any case?
- Is right to privacy applicable to all individuals?
- Though the role of Indian Judiciary has been positive for conferring autonomy in decision making in Puttaswamy case but is it sufficient or requires to be proceeded further?
- Is autonomy in decision making as an aspect of right to privacy is available against state and non-state actors?

Research Methodology

The research shall be carried out purely doctrinal to carry out the objectives of the study. The doctrinal research shall be conducted by the researcher by referring to statutes governing the right to privacy as well as statutes which impose restrictions on the decisional autonomy of individuals like the Medical Termination of Pregnancy Act, 1971 Surrogacy Bill, 2016 and other legal regulations Constitutional protection on Right of Privacy, International Covenants on protection of right to privacy, various articles, journals, books, case laws, law Commission Reports etc. . The researcher shall also refer to application of privacy laws with respect to decisional autonomy in other nations i.e. U.S.A, U.K, Japan and European Union for comparative analysis as well.

Significance of Research at National as well as International level

Significance of the Research at National level

- The significance of the research is to aim in formulating guidelines for awareness about the aspect of autonomy in decision making especially among those who have been deprived of their autonomy in decision making.
- Efforts should be made by both the houses of Parliament to include the concept of right to privacy explicitly under Part III of the Constitution so that it becomes enforceable by law.
- Stringent legal provisions should be made by the legislature to prevent privacy rights violations especially in the notion of autonomy in decision making.

Significance of Research at International level

- Since India is a member of international treaties i.e. Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, European Convention on Human rights which recognise right to privacy as a human right , therefore recognition and enforcement of right to privacy in India will fulfil the commitment to International treaties or conventions.
- It would also put India at par with other nations like United States of America and European Union in successfully protecting the individuals against violations of their privacy leading them to a happy and a contended life which would increase the prestige of India in international sphere.
- It will help in making right to privacy as an aspect of bodily integrity.

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International Covenant on Civil and Political Rights, 1966 art 17

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